



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: RAYBORN, Jerry
Serial No.: 10/667,319
Filed: September 23, 2003
Title: WATER-BASED DRILLING FLUID ADDITIVE
CONTAINING GRAPHITE AND CARRIER
Examiner: Tucker, Philip Art Unit: 1712
Docket: P-0038US

Hon. Commissioner of Patents
United States Patent & Trademark Office
Alexandria, VA 22313-1450

Dear Sir:

TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE
PATENTING REJECTION

The owner, Alpine Mud Products Corporation of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term prior U.S. Patent No. 6,734,145 and U.S. Patent No. 6,737,384 as the terms of said prior patents are defined in 35 U.S.C. 154 and 173, and as the term of said patents are presently shortened by any terminal disclaimer and which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patents granted on pending Application Number 10/667,415, filed on September 23, 2003 and on pending Application Number 10/667,318, filed on September 23, 2003. The owner hereby agrees that any patent granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

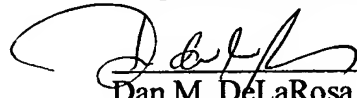
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patents, as

shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Terminal disclaimer fee under 37 CFR 1.20(d) is included. The undersigned is an attorney of record.

Dated: November 28, 2005

Respectfully submitted,



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CERTIFICATE OF FIRST CLASS MAILING

Date of Deposit: November 28, 2005

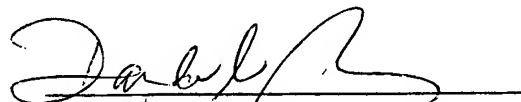
I hereby certify that the following attached paper (s) and/or fee

- (1) Amendment;
- (2) Terminal Disclaimer To Obviate A Provisional Double Patenting Rejection;
- (3) A check for \$130;
- (4) A Certificate of First Class Mailing; and
- (5) A self-addressed stamped postcard, return which is requested to acknowledge receipt of the enclosed documents

Are being deposited in the United States Postal Service First Class Mail on the date indicated above and is addressed to the "Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450".

Respectfully submitted,

Dated: November 28, 2005


Dan M. DeLaRosa

CORRESPONDENCE:

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